



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS

APR 02 2014

Mark Whitfield
Chief Financial Officer
Cameron Chemicals, Inc.
830 Old Dill Road
Suffolk, VA 23434

Re: Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927(a), Regarding Generation and Management of Hazardous Waste by Cameron Chemicals, Inc.

Information Request - Reference No. C14-008
EPA ID No. VACESQG60910

Dear Mr. Whitfield:

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting information to supplement the information obtained by EPA during the inspection at Cameron Chemicals, Inc. (herein after "Cameron Chemicals" or "Facility") located in Suffolk, VA on June 18, 2013. EPA is requesting this information pursuant to the authority granted to it under Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), which provides in relevant part that "any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, . . . furnish information relating to such wastes" EPA hereby requires that you furnish to EPA, **within thirty (30) calendar days** of receipt of this letter, the information requested below, including all documents responsive to such request.

For each and every request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or may be able to provide additional responsive documents, then as a part of your response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request, identify each person from whom such information or documents may be obtained.

Please provide a separate narrative response to each question. Precede each answer with the number of the question or letter of the subpart of the question to which it corresponds. A request for documents shall be construed as a request for any and all documents maintained by you or in your custody, control, or possession or in the possession, custody or control of any of your

employees or agents, relating to the matters described below. For each copy of a document produced in response to this request, indicate on such copy, or in some other reasonable manner, the number of the request to which it responds, the current location and custodian of the original, the date such original was prepared, the person(s) who prepared the original and the date the document became effective at the Facility.

As used herein, the term "document" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phonograph records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer print outs, or other data compilations from which information can be obtained or translated.

All other terms used in this request for information that are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.*, or 40 C.F.R. Parts 260-266 and 268 shall have the meanings set forth therein.

Requested Information

1. During the June 18, 2013 EPA inspection, the EPA inspector observed containers located in different areas of the Facility. Please refer to the Photo #11 – Photo #20 in the Photographic Log of the attached EPA Compliance Evaluation Inspection ("CEI") report, included with this letter as Appendix 1. Facility personnel indicated that the contents of each of the containers could be used in the production of micronutrient fertilizers at Cameron Chemicals. Table 1 below describes the containers observed by the EPA inspectors at the time of the CEI:

Table 1

Photo Number	Container Descriptions
#11	Eighteen super sack containers; Some labeled as "Zinc Cake- Aurubis"; dated as 4/3/13;
#12	Twenty super sack containers; Some labeled as "Copper-Oxide-D.C."; dated as 6/13;
#13, #14	55-gallon containers labeled as "56% Copper" and as "UN3077"; some containers were partially open and rusted;
#15, #16	Eighty 55-gallon containers labeled as "CU-Cat IRA" ; accumulated outside; some labeled as "201301141" & "MRKU896088";
#17	Seventy-six 55-gallon containers labeled as "Cu-Cat", "Unicat" and dated 5/29; accumulated outside;
#18	55-gallon containers of copper catalyst labeled as "Cu-Cat IRA" ; accumulated outside;
#19, #20	Seventeen black 55-gallon containers labeled as "Spent Catalyst" and "UN3077"; labeled with non-hazardous waste labels;

With regard to each of the containers listed in Table 1 above, please answer the following:

- a. the name, address, contact person and contact information (telephone number, fax number, e-mail address) of the company, organization or individual who generated the contents of the containers.
- b. the name, address, contact person and contact information (telephone number, fax number, e-mail address) of the company, organization or individual from which the containers were received ("intermediate handler").
- c. the name of the material, and a detailed description of the process or processes that generated the contents of the containers.
- d. the amount (weight and volume) of material in each container at the time of the June 18, 2013 EPA CEI, and the number of containers of such material that was present at the time of the CEI.
- e. the date on which the containers were received onsite by Cameron Chemicals. If an exact date cannot be determined, please estimate the month and year.
- f. state, as precisely as possible, how much of the material Cameron Chemicals receives per month. If you cannot state the amounts on a monthly basis, please state how much of the material has been received during the smallest intervals for which you are capable of providing such information.
- g. copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that accompanied the receipt of containers.
- h. copies of all sampling results, waste profiles, and MSDSs for the contents of the containers completed by the generator or intermediate handler indicated in your response to Question 1a. and Question 1b., above.
- i. copies of all sampling results, and waste profiles for the contents of the containers completed by Cameron Chemicals.
- j. state whether or not a "waste determination" and "LDR determination" were made for the contents of the containers as generated. If a "waste determination" was made for the contents of the containers, state whether the waste determination was based on analytic results or on the generator's knowledge of the process that generated the waste. If the determination was based on analytical results, provide any and all documentation of such results. If the determination was based upon the generator's knowledge, provide a narrative explanation of the scientific basis for such a determination, and provide any supporting documentation.
- k. were the contents of these containers determined to be "hazardous waste" by the generator prior to shipment to Cameron Chemicals? If so, please state the specific EPA Hazardous Waste Code(s) associated with the contents of the containers that was determined to be hazardous waste.

1. Indicate by stating "Yes" or "No" to the following question: Did Cameron Chemicals use the contents of the containers in the production of any of its fertilizer products?

i. If "Yes," for each fertilizer product please provide:

- a) the name of the product(s);
- b) the corresponding micronutrient (zinc, copper, etc.) from the containers that were incorporated into the product;
- c) the name of the generator from which the micronutrient was received;
- d) the MSDS for the product; and
- e) copies of all bills of lading, shipping invoices, and LDR notices/certifications that accompanied the off-site shipment of the product.

ii. If "No," have the contents of this container been shipped off-site? If so, please submit copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that accompanied the off-site shipment of the containers. If not, please state where the contents of this container are currently located at the Facility and how such contents are being managed.

2. During the June 18, 2013 EPA CEI, the EPA inspector observed several bulk storage bins located near the manufacturing areas of the Facility, as well as outside the Facility. Please refer to Photo #22 – Photo #31 in the Photographic Log of the attached EPA CEI report, included with this letter as Appendix 1. Facility personnel indicated that the contents of the bulk storage bins are used in the production of its micronutrient fertilizers. Please see Table 2 below that describes the contents of the bulk storage bins observed by the EPA inspectors at the time of the CEI:

Table 2

Photo Number	Bulk Storage Bin Descriptions
#22	"Zinc hydroxide" per Facility personnel; accumulated in a bulk storage bin inside the Facility;
#29	"Zinc Oxide" per Facility personnel; accumulated in a bulk storage bin inside the Facility;
#30	"Cooper catalyst" per Facility personnel; three bulk storage bins located outside the Facility;
#31	"70% Iron" materials per Facility personnel; accumulated outside the Facility;

With regard to the contents of each of the bulk storage bins listed in Table 2 above, please answer the following:

- a. the name, address, contact person and contact information (telephone number, fax number, e-mail address) of the company, organization or individual who generated the contents of the bins.

- b. the name, address, contact person and contact information (telephone number, fax number, e-mail address) of the intermediate handler from which the contents of the bins were received.
- c. the name of the material, and a detailed description of the process or processes that generated the contents of the bins.
- d. the amount (weight and volume) of material in each bin at the time of the June 18, 2013 EPA CEI, and capacity (volume) of each bin.
- e. the date on which the contents of the bins were received onsite by Cameron Chemicals. If an exact date cannot be determined, please estimate the month and year.
- f. state, as precisely as possible, how much of the material Cameron Chemicals receives per month. If you cannot state the amounts on a monthly basis, please state how much of the material has been received during the smallest intervals for which you are capable of providing such information.
- g. copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that accompanied the receipt of the material.
- h. copies of all sampling results, waste profiles, and MSDSs for the contents of the bins completed by the generator or intermediate handler in your response to Question 2a. and Question 2b., above.
- i. copies of all sampling results and waste profiles for the contents of the bins completed by Cameron Chemicals.
- j. state whether or not a "waste determination" and "LDR determination" were made for the contents of the bins. If a "waste determination" was made for the contents of the bins, state whether the waste determination was based on analytic results or on the generator's knowledge of the process that generated the waste. If the determination was based on analytical results, provide any and all documentation of such results. If the determination was based upon the generator's knowledge, provide a narrative explanation of the scientific basis for such a determination, and provide any supporting documentation.
- k. were the contents in these bins determined to be "hazardous waste" by the generator prior to shipment to Cameron Chemicals? If so, please state the specific EPA Hazardous Waste Code(s) associated with the contents of the bins that was determined to be hazardous waste.
- l. indicate by stating "Yes" or "No" to the following question: Did Cameron Chemicals use the contents of the bins in the production of any of its fertilizer products?

- i. If "Yes," for each fertilizer product please provide:
 - a) the name of the product(s);
 - b) the corresponding micronutrient (zinc, copper, etc.) from the bins that were incorporated into the product;
 - c) the name of the generator from which the micronutrient was received;
 - d) the MSDS for the product; and
 - e) copies of all bills of lading, shipping invoices, and LDR notices/certifications that accompanied the off-site shipment of the product.
 - ii. If "No," have the contents of the bins been shipped off-site? If so, please submit copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that accompanied the off-site shipment. If not, please state where the contents of the bins are currently located at the Facility and how such contents are being managed.
3. During the June 18, 2013 EPA CEI, the EPA inspector observed a dust collection unit located in the manufacturing area of the Facility. Please refer to Photo #27 in the Photographic Log of the attached EPA CEI report, included with this letter as Appendix 1. Facility personnel indicated that material collected in super sacks connected to the dust collection unit is reused in the production of its micronutrient fertilizers. With respect to the content of the super sack containers below the dust collection unit, please answer the following:
 - a. the name of the material in the super sacks, and a detailed description of the process or processes that generated the contents of each super sacks.
 - b. the date on which the contents of each super sack was first generated and state the basis of your knowledge. If an exact date cannot be determined, please estimate the generation month and year.
 - c. indicate how long (i.e., days, weeks, months) it takes to fill each super sack. If an exact amount of time cannot be determined, please estimate on average, how long it takes to fill each super sack and explain the basis for such estimate.
 - d. the amount (weight and volume) of material in each super sack at the time of the June 18, 2013 EPA CEI, and the capacity (volume) of each super sack.
 - e. state the exact date on which the super sacks became full. If an exact date cannot be determined, please estimate the approximate month and year.
 - f. state whether or not a "waste determination" and "LDR determination" was made for the contents of the super sacks. If a "waste determination" was made for the contents of each super sack, state whether the waste determination was based on analytic results or on the generator's knowledge of the process that generated the waste. If the determination was based on analytical results, provide any and all documentation of such results. If the determination was based upon the generator's knowledge, provide a narrative

explanation of the scientific basis for each such determination, and provide any supporting documentation.

- g. were the contents in the super sacks determined to be “hazardous waste?” If so, please state the specific EPA Hazardous Waste Code(s) associated with the content of the super sack that was determined to be hazardous waste.
 - h. indicate by stating “Yes” or “No” to the following question: Did Cameron Chemicals use the contents of the super sacks in the production of any of its fertilizer products?
 - i. If “Yes,” for each fertilizer product please provide:
 - a) the name of the product(s);
 - b) the MSDS for the product; and
 - c) copies of all bills of lading, shipping invoices, and LDR notices/certifications that accompanied the off-site shipment of the product.
 - ii. If “No,” have the contents of the super sacks been shipped off-site? If so, please submit copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that accompanied the off-site shipment of the super sacks. If not, please state where the contents are currently located at the Facility, and how such contents are being managed.
4. During the June 18, 2013 EPA CEI, the EPA inspector was provided copies of five sample testing results for materials previously received by Cameron Chemicals for use in the production of its micronutrient fertilizers. Please refer to the sample testing results in Attachment E of the EPA CEI report, included as Appendix 1 with this letter. Reference Table 3 below, which catalogues each of the sampling results provided by Cameron Chemicals at the time of the EPA CEI:

Table 3

Sample Number	Lab Number	Date	Description
6003	16630FT	5/13/13	15 totes from Mechanical Galv-Plating located in Sidney, OH;
14 ZnSO4	16653FT	5/15/13	Brokered from Catalytic Innovations; Source of zinc for fertilizer production;
16 Filter Cake	16655FT	5/15/13	Brokered from Catalytic Innovations;
5682	14623FT	2/7/13	20 totes from Network Recycling;
6001	16626FT	5/13/13	Iron mill from Nucor Steel of Cofield, NC;

With respect to each of the materials documented in the sampling results in Table 3 above, please answer the following:

- a. the name, address, contact person and contact information (telephone number, fax number, e-mail address) of the company, organization or individual who generated the materials.

- b. the name, address, contact person and contact information (telephone number, fax number, e-mail address) of the intermediate handler from which Cameron Chemicals received the materials.
- c. the name of the materials, and a detailed description of the process or processes that generated the materials.
- d. the date on which the materials were received onsite by Cameron Chemicals. If an exact date cannot be determined, please estimate the month and year.
- e. the amount (weight and volume) of the materials received by Cameron Chemicals on the date it arrived at the Facility.
- f. the capacity (volume) of the containers and total number of containers in which the materials arrived at the Facility.
- g. state, as precisely as possible, how much of the materials Cameron Chemicals receives per month. If you cannot state the amounts on a monthly basis, please state how much of the material has been received during the smallest intervals for which you are capable of providing such information.
- h. copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that accompanied the receipt of materials by Cameron Chemicals.
- i. copies of all sampling results, waste profiles, and MSDSs for the materials completed by the generator or intermediate handler indicated in your response to Question 4a. and Question 4b., above.
- j. copies of all sampling results and waste profiles for the materials completed by Cameron Chemicals.
- k. state whether or not a "waste determination" and "LDR determination" were made for the materials. If a "waste determination" was made for the materials, state whether the waste determination was based on analytic results or on the generator's knowledge of the process that generated the waste. If the determination was based on analytical results, provide any and all documentation of such results. If the determination was based upon the generator's knowledge, provide a narrative explanation of the scientific basis for such a determination, and provide any supporting documentation.
- l. were the materials determined to be "hazardous waste" by the generator prior to shipment to Cameron Chemicals? If so, please state the specific EPA Hazardous Waste Code(s) associated with the materials that was determined to be hazardous waste.

- m. indicate by stating "Yes" or "No" to the following question: Did Cameron Chemicals use the materials in the production of any of its fertilizer products?
- i. If "Yes," for each fertilizer product please provide:
 - a) the name of the product(s);
 - b) the corresponding micronutrient (zinc, copper, etc.) from the containers that were incorporated into the product;
 - c) the name of the generator from which the micronutrient was received;
 - d) the MSDS for the product; and
 - e) copies of all bills of lading, shipping invoices, and LDR notices/certifications that accompanied the off-site shipment of the product.
 - ii. If "No," have the materials been shipped off-site? If so, please submit copies of all bills of lading, manifests (hazardous and non-hazardous), shipping invoices, and LDR notices/certifications that accompanied the off-site shipment of the materials. If not, please state where the materials are currently located at the Facility and how such contents are being managed.

A copy of the June 18, 2013 CEI report documenting the findings of the inspector is enclosed as Appendix 1 for your information.

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue penalties for failure to comply with or respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

You are entitled to assert a claim of business confidentiality covering any part or all of the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

With regard to the Small Business Regulatory Enforcement and Fairness Act ("SBREFA"), please see the "Information for Small Businesses" memo, enclosed as Appendix 2, which might be applicable to your company. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue this enforcement action. To preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action. EPA has not made a determination as to whether or not you [or your company] are covered by the SBREFA.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Your response must include the following signed and dated certification:

I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: _____
Name: _____
Title: _____

Please send, or otherwise ensure delivery of the requested information to:

Andrew Ma
US EPA Region III
Environmental Science Center
701 Mapes Road
Fort Meade, MD 20755-5350

If you have any questions concerning this matter, please contact Mr. Andrew Ma at (410)-305-3429.

Sincerely,



Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement

Enclosures

cc: A. Ma (3LC70) w/o